

PROB 12A
(01/13)

UNITED STATES DISTRICT COURT

for
Western District of Washington
Report on Offender Under Supervision

Name of Offender: Nathan James Smith **Case Number:** 3:21CR05123-BHS
Name of Judicial Officer: The Honorable Benjamin H. Settle, United States District Judge
Date of Original Sentence: 06/05/2017 **Date of Report:** 04/08/2021
Original Offense: Felon in possession of a firearm and ammunition
Original Sentence: 63 months' imprisonment; 36 months' supervised release
Type of Supervision: Supervised released **Date Supervision Commenced:** 12/10/2020
Special Conditions Imposed:

☒ Substance Abuse ☐ Financial Disclosure ☐ Restitution:
☐ Mental Health ☐ Fine ☐ Community Service
☐ Other:

NONCOMPLIANCE SUMMARY

I allege Nathan James Smith has violated conditions of supervision by:

Violation Number	Nature of Noncompliance
1.	Failing to appear for drug testing, in violation of a special condition of supervision, on the following dates: <ul style="list-style-type: none"> December 29, 2020 January 5, 2021 January 13, 2021 March 31, 2021
2.	Using opiates, in violation of a mandatory condition of supervision, on or about the following dates: <ul style="list-style-type: none"> January 26, 2021 February 9, 2021 March 1, 2021
3.	Failing to participate in treatment, in violation of a special condition of supervision, from on or about March 1, 2021 to April 6, 2021.
4.	Changing residence without prior permission on or about March 22, 2021, and not living at a place approved in advance by probation in violation of standard condition number 5.

United States Probation Officer Action: Mr. Smith was sentenced in the District of Utah. His term of supervised release commenced on December 10, 2020, in the Western District of Washington. Jurisdiction transferred on April 1, 2021.

On December 17, 2020, Mr. Smith signed the form containing drug testing instructions and did appear for drug testing on multiple occasions, however, failed to report for testing on the above dates. On March 31, 2021, Mr. Smith said his phone had been damaged in a fall, and he did not receive the text message instructing him to report for drug testing that day. However, the instructions for drug testing form directed Mr. Smith to call the telephone reporting scheduling system if he is unable to receive a text message.

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Mr. Smith admitted to using heroin on or about January 26, 2021. On February 25, 2021, he admitted to using heroin on February 9, 2021. On March 1, 2021, Mr. Smith provided a urine sample that contained opiates. Subsequent testing confirmed the preliminary result. I have not spoken with Mr. Smith about his March 1 sample.

Mr. Smith self-enrolled in substance use treatment with Awakenings in Cowlitz County on or about February 9, 2021, following his use of heroin. On March 25, 2021, Mr. Smith's counselor with Awakenings, Lucinda Alexander, reported a urine sample Mr. Smith provided to them on February 17, 2021, contained opiates, and stated Mr. Smith last attended treatment on March 1, 2021. Ms. Alexander tried calling him on March 12, 2021 after he missed several treatment sessions, with no success. On March 29, 2021, probation directed Mr. Smith to return to treatment within the week and confirm his return. Ms. Alexander confirmed Mr. Smith called her on March 29, 2021 and said he wanted to return to treatment to avoid being discharged. On April 6, 2021, Ms. Alexander informed me that Mr. Smith had met with her that day. In addition, Mr. Smith provided verification of his prescription for suboxone.

Mr. Smith had been living at an address in Longview, Washington, with a girlfriend. On March 29, 2021, he called U.S. Probation Officer Peru and said he had been "couch surfing" for the past week or so. Officer Peru reminded Mr. Smith of his requirement to advise probation 10 days in advance or within 72 hours after moving. Mr. Smith is currently living with a new girlfriend at a different Longview address. A home inspection of the residence has been completed, and I confirmed the new girlfriend has no criminal record.

Mr. Smith appears to be taking steps to correct a heroin relapse shortly following his release to supervision. I recommend that supervision continue, so that he may continue his course of treatment. Probation has reprimanded Mr. Smith for the violations and warned that further violations may result in more punitive consequences.

Assistant United States Attorney Grady Leupold has no objection to my response to the violations.

I respectfully recommend the Court endorse my actions.

I swear under penalty of perjury that the foregoing is true and correct.

Executed on this 8th day of April, 2021.




Kalen Thomas
Supervising United States Probation Officer

APPROVED:

Monique D. Neal

Chief United States Probation and Pretrial Services Officer

BY:



Brenda L. Amundson

Deputy Chief United States Probation Officer

THE COURT FINDS PROBABLE CAUSE AND ORDERS:

- ☒ Judicial Officer endorses the United States Probation Officer's actions
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other


Signature of Judicial Officer

April 8, 2021
Date